IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE SRI BILAL NAZKI

AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL No.1047 of 2005

AND

WRIT PETITION No.23952 of 2003

WRIT APPEAL No.1047 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 21-04-2005 in W.P.No.23952 of 2003 on the file of the High Court.)

Between:

Nawab Khaja Moinuddin Khan, S/o. Late Ahmeduddin Khan,
R/o. Flat No.308, Shantinagar, Hyderabad.

..... APPELLANT

AND

1.The Vice Chairman and Managing Director, Hyderabad Urban

Development Authority, Paigah Palace, Begumpet, Hyderabad.
2.Collector, Ranga Reddy District, Lakdi-ka-Pul, Hyderabad.
3.Revenue Divisional Officer, Chevella, Rajendranagar, Hyderabad.
4.Mandal Revenue Officer, Balanagar Revenue Mandal, R.R. District.
5. M/s. Silpa Real Estates (P) Ltd., rep. by its Managing Director Mr. G. Gopal Reddy, 6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
6. M/s. Silpa Real Estates & Resorts, rep. by its Managing Director Mr. G. Gopal Reddy, 6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
7. M/s. Silpa Developers, rep. by its Managing Partner S. Pratap Reddy 6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.

8. Mr. S.C. Mohan Reddy S/o. S.K. Chenna Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
9. Mr. S. Pratap Reddy S/o. S.K. Chenna Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
10. Smt. S. Sreevani W/o. S. Pratap Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
11. M/s. Silpa Developers, rep. by its Managing Partner, S. Pratap Reddy
6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
12. M/s. Silpa Homes & Developers, rep. by its Managing Partner, S. Chakrapani Reddy, Flat No. 102, Silpa Residency, Plot No. No.5, Silpa Park, Kondapur, R.R. District.
13. M/s. Silpa Homes & Developers, rep. by its Managing Partner, S. Pratap Reddy, Flat No. 102, Silpa Residency, Plot No. No.5, Silpa Park, Kondapur, R.R. District.
14. M. Kesava Reddy, S/o. M. Chenna Reddy,
Flat No. 104, Sai Anusha Residence, Plot No.136, Rajeev Nagar, Borabunda, Hyderabad.
15. P. Nageswara Rao, S/o. Prakash Rao,
Sai Printers, Opp. Dwaraka Hotel, Lakdikapul, Hyderabad.
16. P. Ramakoteswara Rao, S/o. Prakash Rao,
Sai Printers, Opp. Dwaraka Hotel, Lakdikapul, Hyderabad.

.....RESPONDENTS.

Counsel for the Appellant: Mr.V.VENKATARAMANA

Counsel for Respondent No.1: Mr. B. VISWANATHA REDDY

Counsel for Respondent Nos.2, 3 & 4: G.P. FOR REVENUE

Counsel for Respondent Nos.5 to 16: Mr. P.SRI RAGHURAM

WRIT PETITION No.23952 of 2003

Between:

Nawab Khaja Moinuddin Khan, S/o. Late Ahmeduddin Khan,
R/o. Flat No.308, Shantinagar, Hyderabad.

..... PETITIONER

AND

1.The Vice Chairman and Managing Director, Hyderabad Urban

Development Authority, Paigah Palace, Begumpet, Hyderabad.
2.Collector, Ranga Reddy District, Lakdi-ka-Pul, Hyderabad.
3.Revenue Divisional Officer, Chevella, Rajendranagar, Hyderabad.
4.Mandal Revenue Officer, Balanagar Revenue Mandal, R.R. District.
5. M/s. Silpa Real Estates (P) Ltd., rep. by its Managing Director Mr. G. Gopal Reddy, 6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
6. M/s. Silpa Real Estates & Resorts, rep. by its Managing Director Mr. G. Gopal Reddy, 6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
7. M/s. Silpa Developers, rep. by its Managing Partner S. Pratap Reddy

6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
8. Mr. S.C. Mohan Reddy S/o. S.K. Chenna Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
9. Mr. S. Pratap Reddy S/o. S.K. Chenna Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
10. Smt. S. Sreevani W/o. S. Pratap Reddy,
Plot No. 40, Rd. No. 14, B.N. Reddy Colony, Bunjara Hills, Hyderabad.
11. M/s. Silpa Developers, rep. by its Managing Partner, S. Pratap Reddy
6-3-347/9/N, NV Plaza, 3rd floor, Dwarakapuri Colony, Punjagutta, Hyderabad.
12. M/s. Silpa Homes & Developers, rep. by its Managing Partner, S. Chakrapani Reddy, Flat No. 102, Silpa Residency, Plot No. No.5, Silpa Park, Kondapur, R.R. District.
13. M/s. Silpa Homes & Developers, rep. by its Managing Partner, S. Pratap Reddy, Flat No. 102, Silpa Residency, Plot No. No.5, Silpa Park, Kondapur, R.R. District.
14. M. Kesava Reddy, S/o. M. Chenna Reddy,
Flat No. 104, Sai Anusha Residence, Plot No.136, Rajeev Nagar, Borabunda, Hyderabad.
15. P. Nageswara Rao, S/o. Prakash Rao,
Sai Printers, Opp. Dwaraka Hotel, Lakdikapul, Hyderabad.
16. P. Ramakoteswara Rao, S/o. Prakash Rao,
Sai Printers, Opp. Dwaraka Hotel, Lakdikapul, Hyderabad.

.....RESPONDENTS.

Counsel for the Petitioner: Mr.V.VENKATARAMANA

Counsel for Respondent No.1: Mr. B. VISWANATHA REDDY

Counsel for Respondent Nos.2, 3 & 4: G.P. FOR REVENUE

Counsel for Respondent Nos.5 to 16: Mr. P.SRI RAGHURAM

-

-

The Court made the following :

ORAL JUDGMENT: (per Hon'ble Sri Bilal Nazki, Acting Chief Justice)

Learned counsel for the appellant submits that since the learned single Judge was of the opinion that the writ petition was not maintainable, the learned single Judge should have not proceeded to discuss the controversy on merits. Learned counsel submits that the observations made by the learned single Judge in the order may render the appellant remediless, and in these circumstances he seeks withdrawal of the writ petition along with the writ appeal. The other side has no objection.

The writ petition and the writ appeal are dismissed as withdrawn. Any

observations made by the learned single Judge in his order dismissing the writ petition shall not be taken as expression of opinion on the controversy. The petitioner-appellant is at liberty to seek remedies which may be available to him in law.

_____

(BILAL NAZKI, ACJ)

8th June 2005.

_____

(G.CHANDRAIAH, J.)

ARS

To

1.The Vice Chairman and Managing Director, Hyderabad Urban

Development Authority, Paigah Palace, Begumpet, Hyderabad.
2.Collector, Ranga Reddy District, Lakdi-ka-Pul, Hyderabad.
3.Revenue Divisional Officer, Chevella, Rajendranagar, Hyderabad.
4.Mandal Revenue Officer, Balanagar Revenue Mandal, R.R. District.
5.Two C.Cs to Govt. Pleader for Revenue, High Court Bldgs., Hyderabad (OUT).

6. Two CD copies.